

Title 4, California Code of Regulations, Division 18.

California Gambling Control Commission

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Chapter 2. Work Permits

Article 1. Definitions and General Provisions

Section 12100. Definitions

The following definitions govern the construction of the regulations contained in this Chapter:

- (a) “Bureau” means the Bureau of Criminal Identification and Information in the California Department of Justice.
- (b) “Commission” means the California Gambling Control Commission.

- (c) “Deadly weapon” means any weapon, the possession or concealed carrying of which is prohibited by Penal Code section 12020.
- (d) “Division” means the Division of Gambling Control in the California Department of Justice.
- (e) “Executive ~~Secretary~~ Director” means the executive officer of the Commission, as provided in Business and Professions Code ~~sections~~ section 19815(a) 19816(a) and 19810A(a), or his or her designee. If the Executive ~~Secretary~~ Director position is vacant, then “Executive ~~Secretary~~ Director” means the officer or employee who shall be designated by the Commission.
- (f) “Gambling Control Act” or “Act” means Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code.
- (g) “Gambling Enterprise Employee” has the same meaning as defined in Business and Professions Code section 19805, subdivision ~~(m)~~ (l).
- (h) “Gambling Establishment” or “Establishment” has the same meaning as defined in Business and Professions Code section 19805, subdivision ~~(n)~~ (m).
- (i) “Regular Work Permit” or “Work Permit” means a work permit issued pursuant to Business and Professions Code section ~~19910.5A~~ 19912 for a period of no more than two years.
- (j) “Temporary Work Permit” means a work permit issued pursuant to this article to a prospective gambling enterprise employee in accordance with Business and Professions Code section ~~19823A~~ 19824, subdivision ~~(a)(6)~~ (f), valid for a period not to exceed 120 days from the date of issuance.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19800, ~~19810A~~ 19811, ~~19815~~ 19816, and ~~19910.5A~~ 19912, Business and Professions Code.

Section 12101. Forms

The following forms shall be used as specified in this chapter:

- (a) “Renewal Work Permit Application Form” means the “Application for Work Permit Renewal” CGCC 023 (Rev. 10-02) which is hereby incorporated by reference.
- (b) “Replacement Badge Application” means the “Application for Replacement Work Permit Badge” CGCC 026 (Rev. 10-02) which is hereby incorporated by reference.
- (c) “Transfer of Work Permit Application Form” means the “Application for Transfer of Work Permit” CGCC 022 (Rev. 10-02) which is hereby incorporated by reference.
- (d) “Work Permit Application Form” means the “Application for Regular and Temporary Work Permit” CGCC 021 (Rev. 10-02) which is hereby incorporated by reference.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19800, ~~19810A~~ 19811, ~~19815~~ 19816, and ~~19910.5A~~ 19912, Business and Professions Code.

Article 2. Regular Work Permits

Section 12104. Term of Work Permit

As provided in Business and Professions Code section ~~19910.5A~~ 19912, a work permit issued by the Commission is valid for two years. If a temporary work permit is issued, the term of the subsequently issued regular work permit shall run from the date of the issuance of the temporary work permit.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19800, ~~19810A~~ 19811, ~~19815~~ 19816, and ~~19910.5A~~ 19912, Business and Professions Code.

Section 12105. Mandatory and Discretionary Grounds for Denial of Work Permit

- (a) An application for a work permit shall be denied by the Commission if either of the following applies:
 - (1) The applicant meets any of the criteria for mandatory disqualification under Business and Professions Code section ~~19850A~~ 19859.
 - (2) The applicant is found unqualified pursuant to the criteria set forth in subdivisions (a) or (b) of Business and Professions Code section ~~19848A~~ 19857.
- (b) An application for a work permit may be denied by the Commission if it finds any of the following:
 - (1) Cause set forth in Business and Professions Code section ~~19912A~~ 19914, subdivision (a), paragraphs (1) through (9), inclusive.
 - (2) Within ten years immediately preceding the submission of the application, the applicant was convicted of any of the following offenses:
 - (A) A misdemeanor involving a firearm or other deadly weapon.
 - (B) A misdemeanor involving gaming or gaming-related activities prohibited by Chapter 9 (commencing with section 319) and Chapter 10 (commencing with section 330) of Title 9 of Part 1 of the Penal Code.

- (C) A misdemeanor involving a violation of an ordinance of any city, county, or city and county, which pertains to gambling or gambling-related activities.
 - (D) A misdemeanor involving a violation of the Gambling Control Act.
 - (E) A misdemeanor involving dishonesty or moral turpitude whether or not the applicant was granted relief pursuant to Sections 1203.4, 1203.4a, or 1203.45 of the Penal Code.
- (c) The grounds for denial set forth in this section apply in addition to any grounds prescribed by statute.
 - (d) The criteria set forth in this section shall constitute grounds for objection to the issuance of a work permit by a city, county, or city and county pursuant to Business and Professions Code section ~~19910.5A~~ 19912.
 - (e) The provisions of Business and Professions Code sections ~~19848A~~ 19857, ~~19850A~~ 19859, and ~~19912A~~ 19914, subdivision (a) shall be deemed incorporated by reference into this regulation for the purposes set forth in this section. For the purposes of this section, the criteria incorporated by reference in these regulations from Business and Professions Code section ~~19912A~~ 19914, subdivision (a), apply to conduct or events occurring prior to the filing of an application for a work permit.

Authority: Sections ~~19810A~~ 19811, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 19800, ~~19808~~, ~~19810A~~ 19811, ~~19815~~ 19816, ~~19848A~~ 19857, ~~19850A~~ 19859, ~~19910.4~~ 19911, ~~19910.5A~~ 19912, and ~~19912A(b)~~ 19914(b), Business and Professions Code.

Article 3. Temporary Work Permits

Section 12120. Temporary Work Permits

- (a) While the Division is processing an application for a regular work permit, and subject to section 12122, the Executive ~~Secretary~~ Director, or any employee of the Commission designated in writing by the Executive ~~Secretary~~ Director, may issue a temporary work permit pursuant to this article, which shall be valid for no more than 120 days. The duration of the temporary work permit shall not substantially exceed the estimated time to process and consider the application for a regular work permit, but may be extended if necessary; provided that in no event shall a temporary work permit be valid for more than 120 days. Any temporary work permit issued in accordance with this article shall not create a property right in its holder. In order to protect the public, each temporary work permit shall be issued subject to the conditions specified in section 12128.
- (b) Upon issuance or denial of a regular work permit by the Commission, the temporary work permit previously issued shall become void and shall not be used thereafter.
- (c) If the regular work permit is not issued within 120 days of the issuance of the temporary work permit, the applicant may submit an application for a new temporary work permit to the Commission. The Executive ~~Secretary~~ Director shall waive the fee for the new temporary work permit upon request of the applicant.
- (d) In the event that the regular work permit is issued prior to action by the Executive ~~Secretary~~ Director on the application for the temporary work permit, the application for the temporary work permit shall be deemed withdrawn and no further action will be taken on it.
- (e) If an application for a temporary work permit is incomplete, the Executive ~~Secretary~~ Director may request in writing any information needed in order to complete the application. The Executive ~~Secretary~~ Director shall allow the applicant 30 days in which to furnish the information. If the applicant fails to respond to the request, the temporary work permit application shall be deemed abandoned and no further action will be taken on it.

- (f) If the applicant submits a request for withdrawal of his or her application for a regular work permit, the application for a temporary work permit shall be deemed abandoned and no further action will be taken on it by the Executive ~~Secretary~~ Director.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19801(j), ~~19810A~~ 19811, ~~19815~~ 19816, ~~19854A~~ 19866, 19910, and ~~19910.5A~~ 19912, Business and Professions Code.

Section 12122. Criteria for Issuance of Temporary Work Permits

The Executive ~~Secretary~~ Director shall issue a temporary work permit if all of the following requirements are met:

- (a) The applicant has applied for a temporary work permit by completing the Commission's work permit application form, requesting issuance of a temporary work permit by checking the appropriate box on the application form, and submitting with the application a nonrefundable \$25.00 temporary work permit fee, in addition to the regular work permit fee of \$75.00 paid pursuant to Business and Professions Code section ~~19913A~~ 19915.
- (b) The applicant has supplied all of the following to the Commission:
- (1) The applicant's name, mailing address, residence street address (if different than mailing address), telephone number, e-mail address (optional), and date of birth.
 - (2) A two by two inch color passport-style photograph taken no more than 30 days before submission to the Commission of the work permit application, which shall be in addition to the photograph submitted for the regular work permit.
 - (3) Information concerning the gambling establishment in which the position is available: the name of the gambling

establishment, mailing address, voice telephone number, facsimile number (if any), e-mail address (if any), the job title of the position, and the name of the owner, authorized agent, or hiring authority of the establishment.

(4) A Request for Live Scan Service (California Department of Justice Form BCII 8016, rev. 4/01,) confirming that the applicant has submitted his or her fingerprints to the Bureau for an automated background check and response.

(c) Neither the application in its entirety nor the results of the investigation of the applicant reported by the Division to the Commission up until the date of issuance of the temporary work permit discloses any of the following:

- (1) The applicant has been convicted of any felony.
- (2) The applicant has, within the 10-year period immediately preceding the submission of the application, been convicted of any of the following offenses, not including convictions which have been expunged or dismissed as provided by law:
 - (A) A misdemeanor involving a firearm or other deadly weapon.
 - (B) A misdemeanor involving gaming or gaming-related activities prohibited by Chapter 9 (commencing with section 319) and Chapter 10 (commencing with section 330) of Title 9 of Part 1 of the Penal Code.
 - (C) A misdemeanor involving a violation of an ordinance of any city, county, or city and county, which pertains to gambling or gambling-related activities.
 - (D) A misdemeanor involving violations of the Gambling Control Act.

- (E) A misdemeanor involving dishonesty or moral turpitude.
 - (3) The applicant has had an application for a gambling license or work permit denied.
 - (4) The applicant has had a gambling license or work permit revoked.
 - (5) The applicant is disqualified under the Gambling Control Act or other provisions of law from holding a work permit.
- (d) The Division has reported one of the following to the Commission concerning the Request for Live Scan Service submitted to the Bureau:
- (1) A response has been received from the Bureau or Federal authorities that is consistent with a finding that the applicant has not sustained any disqualifying criminal convictions, or,
 - (2) No response from the Bureau or Federal authorities has been received within the time period set forth in ~~subdivision~~ subsection (b) of section 12126.
- (e) The application and other information obtained during the review does not disclose any factor indicating that approval of the temporary work permit may in the judgment of the Executive ~~Secretary~~ Director present a danger to the public or to the reputation of controlled gambling in this state.
- (f) The applicant is not ineligible under Business and Professions Code section ~~19850A, subdivision (a)(2), (5), (6), or (7)~~ 19859, subdivisions (b), (e), (f), or (g), the terms of which are incorporated by reference and hereby expressly made applicable to applications for temporary work permits.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections ~~19810A~~ 19811, ~~19815~~ 19816, ~~19822A~~ 19823, ~~19850A~~ 19859, and ~~19910.5A~~ 19912, Business and Professions Code.

Section 12124. Effect of Denial or Cancellation of Temporary Work Permit

Denial of an application for a temporary work permit or cancellation of a temporary work permit shall not suspend the processing and review of the related application for a regular work permit.

Authority: Sections ~~19810A(a)~~ 19811(a), ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, and ~~19834A~~ 19841, Business and Professions Code; ~~s~~Section 15376, Government Code

Reference: Sections ~~19823A~~ 19824, 19910, and ~~19910.5A~~ 19912, Business and Professions Code.

Section 12126. Processing Times for Temporary Work Permit

Applications for issuance of a temporary work permit by the Executive ~~Secretary~~ Director shall be processed within the following time frames:

- (a) The maximum time within which the Executive ~~Secretary~~ Director shall notify the applicant in writing that an application or a resubmitted application is complete and accepted for filing, or that an application or a resubmitted application is deficient and identifying what specific additional information is required, is five working days after receipt of the application.
- (b) A temporary work permit shall be either granted or denied within no more than 15 working days after the filing of a complete application.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, and ~~19834A~~ 19841, Business and Professions Code; Section 15376, Government Code

Reference: Sections 15375 and 15376, Government Code; Sections ~~19823A(6)~~ 19824(f) and ~~19910.5A~~ 19912, Business and Professions Code

Section 12128. Cancellation of Temporary Work Permit

- (a) Any temporary work permit issued in accordance with this article shall be subject to summary cancellation pursuant to ~~subdivisions~~ subsections (b) and (c) of this section.
- (b) A temporary work permit shall be cancelled by the Executive ~~Secretary~~ Director at any time if any of the following applies:
 - (1) The Commission determines that it has received reliable information that the holder of the temporary work permit is ineligible under ~~subdivision~~ subsection (c) of section 12122, has failed to reveal any fact material to the holder's qualification for a temporary work permit, or has supplied information to the Commission that is untrue or misleading as to a material fact pertaining to the criteria for issuance of temporary work permits.
 - (2) Pursuant to Business and Professions Code section ~~19824A~~ 19826, the Division recommends denial of a regular work permit to the applicant.
 - (3) The applicant's regular work permit application is referred by a vote of the Commission for an evidentiary hearing pursuant to Business and Professions Code section ~~19823.5~~ 19825, and the Commission directs the Executive ~~Secretary~~ Director to cancel the temporary work permit.
 - (4) The Executive ~~Secretary~~ Director receives from the applicant a request to withdraw his or her application for a regular work permit.
- (c) If any of the circumstances set forth in ~~subdivision~~ subsection (b) applies, then the Executive ~~Secretary~~ Director or his or her designee shall immediately do all of the following:

- (1) Notify the temporary work permit holder, the gambling establishment, the local law enforcement agency, and the Division in writing of the cancellation of the temporary work permit and the grounds thereof.
- (2) Require the holder of the license for the gambling establishment or its hiring authority to terminate immediately any employment of the holder covered by the cancelled temporary work permit.
- (3) Notify the temporary work permit holder that he or she is required to surrender the temporary work permit to the Commission not more than ten days following the date that the notice of cancellation was mailed or such greater time as is authorized by the Executive ~~Secretary~~ Director.

Authority: Sections ~~19810A(a)~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, and ~~19834A~~ 19841, Business and Professions Code.

Reference: Sections 10, 19801, ~~19815~~ 19816, ~~19823A(6)~~ 19824(f), ~~19910.5A~~ 19912(a) and (d), Business and Professions Code.

Article 4. Change in Place of Employment – Work Permit Transfer

Section 12130. Change in Place of Employment--Work Permits Transfer

- (a) The holder of a currently valid regular work permit may apply for a new work permit for a different place of employment in accordance with this article.
- (b) The Executive ~~Secretary~~ Director shall issue a regular work permit to an applicant for a new place of employment if all of the following conditions are met:

- (1) The applicant has applied for a work permit transfer by completing the Commission's transfer of work permit application form.
- (2) The applicant has supplied all of the following to the Commission:
 - (i) The applicant's name, mailing address, residence street address (if ~~difference~~ different than mailing address), telephone number, e-mail address (optional), and date of birth.
 - (ii) A two by two inch color passport-style photograph taken no more than 30 days before submission to the Commission of the work permit transfer request.
 - (iii) A nonrefundable \$25.00 fee payable to the Commission.
 - (iv) Information concerning the new employer in which the position is available: the name of the gambling establishment, mailing address, voice telephone number, facsimile number (if any), e-mail address (if any), the job title of the position, and the name of the owner, authorized agent, or hiring authority of the establishment.
- (3) The applicant possesses a valid work permit issued by the Commission or the Division that has been issued or renewed within a two-year period immediately preceding the date that the work permit transfer application is received by the Commission. The applicant shall provide the Commission with a photocopy of the valid work permit.
- (4) The applicant seeks to change his or her place of employment from the gambling establishment for which the valid work permit was issued to a different licensed gambling establishment for which a work permit issued by the Commission is required by the Act.
- (5) The Executive ~~Secretary~~ Director is not aware of any cause for revocation of the work permit.

- (c) A work permit issued pursuant to this section shall be valid during the unexpired term of the previously issued work permit.
- (d) If a work permit is issued pursuant to this section, the Executive ~~Secretary~~ Director shall promptly inform the Division in writing of this decision.
- (e) Upon issuance of a regular work permit pursuant to this section for the applicant's new place of employment, the regular work permit issued for the previous employer shall become void and shall not be used thereafter.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19801, ~~19815~~ 19816, ~~19823A(6)~~ 19824(f), and ~~19910.5A~~ 19912(d), Business and Professions Code.

Section 12132. Processing Times for Application to Change Place of Employment

Applications submitted pursuant to section 12130 shall be processed within the following time frames:

- (a) The maximum time within which the Executive ~~Secretary~~ Director shall notify the applicant in writing that an application or a resubmitted application is complete and accepted for filing, or that an application or a resubmitted application is deficient and identifying what specific additional information is required, is five working days after receipt of the application.
- (b) A work permit shall be either granted or denied within no more than 15 working days after the filing of a complete application.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, and ~~19834A~~ 19841, Business and Professions Code; Section 15376, Government Code

Reference: Sections 15375 and 15376, Government Code; Sections ~~19823A~~ 19824 and ~~19910.5A~~ 19912, Business and Professions Code

Article 5. Replacement Work Permit Badges

Section 12140. Replacement Work Permit Badges

- (a) The Executive ~~Secretary~~ Director shall issue a replacement work permit badge to a gambling enterprise employee if all of the following conditions are met:
- (1) The applicant has previously been issued a currently valid work permit.
 - (2) The applicant has applied for a replacement work permit badge by completing the Commission's replacement badge application.
 - (3) The applicant has supplied all of the following to the Commission:
 - (i) The applicant's name, mailing address, residence street address (if ~~difference~~ different than mailing address), telephone number, e-mail address (optional), and date of birth.
 - (ii) A two by two inch color passport-style photograph taken no more than 30 days before submission to the Commission of the work permit transfer request.
 - (iii) A nonrefundable \$25.00 fee payable to the Commission.
 - (iv) Information concerning the gambling establishment for which the replacement badge is requested: the name of the gambling establishment, mailing address, voice telephone number, facsimile number (if any), e-mail

address (if any), the job title of the position, and the name of the owner, authorizing agent, or hiring authority of the establishment.

- (4) The Executive ~~Secretary~~ Director is not aware of any cause for revocation of the work permit.
- (b) A replacement work permit badge issued pursuant to this section shall be valid during the unexpired term of the previously issued work permit.
- (c) Upon issuance of the replacement work permit badge, the previously issued work permit badge for that gambling establishment shall become void and shall not be used thereafter.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, ~~19834A~~ 19841, and ~~19910.5A~~ 19912, Business and Professions Code.

Reference: Sections 10, 19801, ~~19815~~ 19816, ~~19823A(6)~~ 19824(f), and ~~19910.5A~~ 19912 Business and Professions Code.

Section 12142. Processing Times for Application to Replace Work Permit Badge

Applications submitted pursuant to section 12140 shall be processed within the following time frames:

- (a) The maximum time within which the Executive ~~Secretary~~ Director shall notify the applicant in writing that an application or a resubmitted application is complete and accepted for filing, or that an application or a resubmitted application is deficient and identifying what specific additional information is required, is five working days after receipt of the application.
- (b) A replacement work permit badge shall be either issued or denied within no more than 15 working days after the filing of a complete application.

Authority: Sections ~~19810A~~ 19811, ~~19822A~~ 19823, ~~19823A~~ 19824, ~~19830A(a)~~ 19840, and ~~19834A~~ 19841, Business and Professions Code; Section 15376, Government Code

Reference: Sections 15375 and 15376, Government Code; Sections ~~19823A~~ 19824 and ~~19910.5A~~ 19912, Business and Professions Code